

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ADMIRALTY ISLAND FISHERIES, INC., a )  
Washington Corporation, d/b/a/ Aqua )  
Star, )

Plaintiff, )

vs. )

MILLARD REFRIGERATED SERVICES, )  
INC.; a Georgia corporation; and DOES )  
1 to 50, inclusive, )

Defendants. )

8:05CV541

ORDER

NATIONAL FIRE INSURANCE OF )  
HARTFORD as Subrogee of Suram )  
Trading Corporation, )

Plaintiff, )

CERTAIN UNDERWRITERS AT LLOYD'S )  
OF LONDON as Subrogee of Icicle )  
Seafoods, Inc., and )

HARTFORD CASUALTY INSURANCE )  
COMPANY, as Subrogee of Global )  
Fishing, Inc., )

Intervening Plaintiffs, )

vs. )

MILLARD REFRIGERATED SERVICES, )  
INC., )

Defendant. )

8:06CV421

ORDER

This matter is before the court on the motion of Admiralty Island Fisheries, Inc., for leave to file an amended complaint (Filing [39] in Case No. 8:05CV00541). The motion is not in the form required by the local rules of practice, i.e., NECivR 15.1, which provides:

- (a) Form and Content. A party who moves for leave to amend a pleading (including a request to add parties) shall file as an attachment to the

motion an unsigned copy of the proposed amended pleading. Except as provided in these rules or by leave of court, the proposed amended pleading must be a complete pleading which, if allowed to be filed, supersedes the pleading amended in all respects; no portion of the prior pleading may be incorporated into the proposed amended pleading by reference. The motion for leave to amend shall set forth specifically the amendments proposed to be made to the original pleading, state whether the motion is unopposed, and identify the amendments in the proposed amended pleading.

\* \* \* \*

- (c) Filing of Amended Pleading. The granting of the motion for leave to amend does not constitute filing of the amended pleading. The party to whom the court grants leave to amend must then file the amended pleading, after leave is given.

Counsel are also reminded that, in this district, briefs and evidence cannot be appended to motions and must be filed as separate documents. NECivR 7.1.

**IT IS ORDERED:**

1. The motion of Admiralty Island Fisheries, Inc., for leave to file an amended complaint (Filing [39] in Case No. 8:05CV00541) is held in abeyance, and Admiralty Island Fisheries, Inc. is given until and including **May 10, 2007** to file an amended motion that complies with the requirements of NECivR 15.1 and NECivR 7.1.
2. The amended motion shall be filed in both of the consolidated cases as previously ordered.
3. This order is not intended to alter the case progression order and is entered without prejudice to any party opposing the motion on grounds of timeliness.

**DATED May 4, 2007.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**